

(b) (1) The Committee consists of 7 members appointed by the Secretary.

(2) Of the 7 members, 2 shall be knowledgeable in the field of continuing care, 2 shall be certified public accountants, 1 shall be from the financial community, and 2 shall be consumer members, preferably subscribers of continuing care facilities.

(3) The term of a member is 3 years. The terms of members are staggered as required by the terms provided for members of the Committee on July 1, 1985.

(4) A member may serve consecutive terms.

(5) The Committee shall elect its chairman.

(6) Members may not receive compensation, however, members are entitled to reimbursement for expenses incurred in the performance of their official duties as provided for in the State budget.

(7) Any Financial Review Committee member shall have the immunity from liability described under § 5-514 of the Courts and Judicial Proceedings Article.

(8) A Financial Review Committee member may not participate in a review of a continuing care provider's financial condition if that member has an interest in the provider, as defined by the Maryland Public Ethics Law.

(9) The deliberations of the Committee AND COMMUNICATIONS BETWEEN THE DEPARTMENT AND THE COMMITTEE, INCLUDING BUT NOT LIMITED TO RECOMMENDATIONS OF THE COMMITTEE, shall be confidential.

(c) (1) After reviewing [the] A provider's application for a renewal certificate, the Department may refer the application and accompanying materials to the Committee for its consideration. The Committee shall review the application and the materials and may request additional information from the Department. Within 45 days of receipt of an application, the Committee shall notify the Department in writing:

(I) whether or not the Committee [finds] RECOMMENDS FINDING the provider in financial difficulty[.];

(II) WHETHER OR NOT THE COMMITTEE RECOMMENDS IDENTIFYING THE FINANCIAL DIFFICULTY AS INCLUDING A SIGNIFICANT RISK OF FINANCIAL FAILURE IN ACCORDANCE WITH SUBSECTION (H) OF THIS SECTION; AND

(III) stating the REASON OR reasons for its [findings] RECOMMENDATIONS.

~~(2) The Committee may request one 30 day extension from the Secretary. The Secretary may grant OR DENY the extension.~~

(2) The Department may refer a finding of possible financial difficulty to the Committee for its consideration. The Committee shall review the finding and may request additional information from the Department. Within 45 days of receipt of a finding, the Committee shall notify the Department in writing: